

BRADY JOHNSON (WSBA 21732)
JONATHAN MARK (WSBA 38051)
Washington State Attorney General
Antitrust Division
800 Fifth Avenue
Seattle, WA 98104
Telephone: (206) 389-2848 (Brady Johnson)
Telephone: (206) 389-3806 (Jonathan Mark)
Facsimile: (206) 464-6338
bradyj@atg.wa.gov (Brady R. Johnson)
jonathanM2@atg.wa.gov (Jonathan A. Mark)

Attorneys for the State of Washington

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TFT (FLAT PANEL)
ANTITRUST LITIGATION

No. M-07-1827-SI
MDL No. 1827

This Document Relates To Individual
Case No. 3:10-cv-05711-SI

**STIPULATION AND
[PROPOSED] ORDER
SHORTENING TIME**

WASHINGTON STATE.

Plaintiff

V.

AU OPTRONICS CORP., ET AL.,

Defendants.

Pursuant to Local Rule 6-2, the State of Washington (“State”) and the Defendants (collectively, the “Parties”) jointly submit this Stipulated Request for an Order Shortening Time on the State’s Motion to Remand. The Parties stipulate and agree as follows:

WHEREAS the State’s lawsuit has been transferred to this Court as a related case in *In re TFT-LCD (Flat Panel) Antitrust Litigation* Master File No. 3:07-md-1827 SI, MDL No. 1827 (the “MDL”) and assigned to the Honorable Judge Susan Illston for

1 consolidated pretrial proceedings, and the State has agreed to withdraw its previously
2 filed opposition to the transfer order;

3 WHEREAS the Parties believe, in light of the various schedules, proceedings, and
4 deadlines applying to the direct purchaser plaintiffs, the indirect purchaser plaintiffs, the
5 direct action plaintiffs and other plaintiffs and defendants in the MDL, that it is in their
6 best interests, as well as the interests of judicial economy and efficiency, to resolve
7 outstanding issues of federal court jurisdiction over the State's lawsuit in as expeditious a
8 manner as possible, in order to avoid delays and to facilitate the efficient administration
9 of justice;

10 WHEREAS the Parties agree that both sides have had the opportunity to fully
11 brief issues relating to the State's Motion to Remand; that there is no need for any further
12 briefing on the State's Motion to Remand; and that accordingly, the State's Motion to
13 Remand is ripe for consideration;

14 THEREFORE, the State and the Defendants, by their respective counsel, stipulate
15 and agree (1) that the 35-day time period described in Local Rule 7-2 will not be
16 applicable to the State's Motion to Remand; (2) to shorten the time within which the
17 Court may rule on the State's Motion to Remand; (3) that, after assignment, the State's
18 Motion to Remand , may be heard at the earliest time practicable for the Court, should
19 the Court decide that a hearing on the Motion is necessary; and (4) that either party may
20 file as warranted, and without argument, supplementary materials as permitted by Local
21 Rule 7-3(d).

22 ////

23 ////

1 IT IS SO STIPULATED
2
3

DATED: December 20, 2010.

4 Respectfully submitted,
5
6

7 ROB MCKENNA
8 Attorney General of the State of Washington
9
10

11 *s/Jonathan A. Mark*
12 Jonathan A. Mark
13 Assistant Attorney General
14 Antitrust Division
15 800 Fifth Avenue,
16 Seattle, WA 98104
17 (206) 389-3806 (Tel)
18 (206) 464-6338 (Fax)
19 jonathanM2@atg.wa.gov
20 Attorneys for Plaintiff State of Washington
21
22
23
24
25
26

1
2 CHIMEI INNOLUX CORP. AND CHI
3 MEI OPTOELECTRONICS CORP. USA,
4 INC. (Chimei Entities)

5 By: s/ Michael R. Scott
6 Michael R. Scott, WSB#12822
7 Michael J. Ewart, WSB#38655
8 HILLIS CLARK MARTIN &
9 PETERSON P.S.
10 1221 Second Avenue, Suite 500
Seattle, WA 98101
Phone: (206) 623-1745
Fax: (206) 623-7789
mrs@hcmp.com
mje@hcmp.com
Attorneys for Chimei Entities

11 *Of Counsel:*

12 Admitted *pro hac vice*
13 Steven F. Cherry
Gordon Pearson
14 WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, N.W.
Washington, DC 20006
Phone: (202) 663-6000
Fax: (202) 663-6363

15 EPSON IMAGING DEVICES CORP. AND
16 EPSON ELECTRONICS AMERICA, INC.
(Epson Entities)

17 By: s/ Angelo J. Calfo
18 Angelo J. Calfo, WSB#27079
C. Seth Wilkinson, WSB#31607
19 YARMUTH WILSDON CALFO PLLC
818 Stewart Street, Suite 1400
Seattle, WA 98101
Phone: (206) 516-3800
Fax: (206) 516-3888
acalfo@yarmuth.com
swilkinson@yarmuth.com
Attorneys for Epson Entities

20 *Of Counsel:*

21 Admitted *pro hac vice*
22 Stephen P. Freccero
MORRISON & FOERSTER LLP
23 425 Market Street
San Francisco, CA 94105
Phone: (415) 268-7000
Fax: (415) 268-7522

1
2 LG DISPLAY CO., LTD. AND LG
3 DISPLAY AMERICA, INC. (LG Display
Entities)

4 By: s/ Michael K. Vaska
5 Michael K. Vaska, WWSA #15438
6 FOSTER PEPPER PLLC
7 1111 Third Avenue
8 Suite 3400
9 Seattle, WA 98101-3299
Tel.: (206) 447-4400
Fax: (206) 447-9700
vaskm@foster.com
10 Attorney for LG Display Entities

11 *Of Counsel:*

12 Michael R. Lazerwitz
Lee F. Berger
13 CLEARY GOTTLIEB STEEN &
HAMILTON LLP
2000 Pennsylvania Avenue, N.W.
Washington, DC 20006
Phone: (202) 974-1500
Fax: (202) 974-1999

14 TOSHIBA AMERICA ELECTRONIC
COMPONENTS, INC. AND TOSHIBA
AMERICA INFORMATION SYSTEMS,
INC. (Toshiba Entities)

15 By: s/ Mathew L. Harrington
16 Mathew L. Harrington, WWSA
#33276
17 STOKES LAWRENCE, P.S.
800 Fifth Avenue, Suite 4000
Seattle, WA 98104
Phone: (206) 626-6000
Fax: (206) 464-1496
mlh@stokeslaw.com
18 Attorney for Toshiba Entities

19 *Of Counsel:*

20 Admitted *pro hac vice*
John H. Chung
21 WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036
Phone: (212) 819-8200
Fax: (212) 354-8113

1
2 AU OPTRONICS CORP AMERICA AND
3 AU OPTRONICS CORPORATION (AU
4 Entities)

5 By: s/ David C. Luundsgaard
6 David C. Luundsgaard, WSBA #25448
7 GRAHAM & DUNN
8 2801 Alaskan Way
9 Ste. 300, Pier 70
10 Seattle, WA 98121-1128
11 Phone: (206) 624-8300
12 Fax: (206) 340-9599
13 *Attorney for AU Entities*

14
15 *Of Counsel:*
16 Admitted *pro hac vice*
17 Carl L. Blumenstein
18 Christopher A. Nedeau
19 NOSSAMAN LLP
20 50 California Street
21 34th Floor
22 San Francisco, CA 94111
23 Phone (415) 438-7219

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: _____

26 
27 JUDGE SUSAN ILLSTON
28 United States District Judge

PROOF OF SERVICE

I certify that I served a copy of this document on all parties or their counsel of record on the date below as follows:

 ECF Electronic Service

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 20th day of December, 2010 at Seattle, WA.

s/Jonathan A. Mark
JONATHAN A. MARK
Assistant Attorney General